

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CHARLES D. JONES,

Plaintiff,

v.

ROBERT DERINGER, *et al*,

Defendants.

Civil Action No. 2:24-cv-1367

Hon. William S. Stickman IV

Hon. Maureen P. Kelly

ORDER OF COURT

Pro se Plaintiff Charles Jones (“Jones”), a prisoner in the custody of the Westmoreland County Prison at the time of filing, brought this action. Due to multiple deficiencies, Magistrate Judge Maureen P. Kelly issued a Deficiency Order. (ECF No. 4). Plaintiff failed to fully comply with the Deficiency Order as well as a subsequent Show Cause Order. (ECF No. 9). Magistrate Judge Kelly issued a Report and Recommendation in which, after considering and weighing the *Poulis*¹ factors, she recommended dismissal of the case without prejudice due to Jones’s failure to prosecute. (ECF No. 12). The parties were provided the opportunity to file objections, and no objections have been filed. Therefore, the Court hereby ADOPTS Magistrate Judge Kelly’s Report and Recommendation as its Opinion. It concurs with her thorough legal analysis and conclusions.

AND NOW, this 18 day of March 2025, IT IS HEREBY ORDERED that all claims against Defendants are DISMISSED WITHOUT PREJUDICE for failure to prosecute. The

¹ In *Poulis v. State Farm Fire & Casualty Co.*, 747 F.2d 863 (3d Cir. 1984), the United States Court of Appeals for the Third Circuit set forth a six-factor balancing test to guide a district court in determining whether a case should be dismissed for failure to prosecute.

pending motions for leave to proceed *in forma pauperis* (ECF Nos. 1 and 7) are TERMINATED
AS MOOT.

BY THE COURT:



WILLIAM S. STICKMAN IV
UNITED STATES DISTRICT JUDGE